

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
EVAN WEINER and TIMOTHY McCLAUSLAND, on :
behalf of themselves and all others :
similarly situated, :

Plaintiffs, :

-v- :

SNAPPLE BEVERAGE CORPORATION, :

Defendant. :
-----X

07 CIV. 8742 (DLC)

PRETRIAL
SCHEDULING ORDER

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/20/09

DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed.R.Civ.P., on October 16, 2009, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. The parties shall comply with their Rule 26(a)(1), Fed.R.Civ.P., initial disclosure obligations by **October 21, 2009**.
2. The following motion will be served by the dates indicated below.

Plaintiff's motion supporting nationwide class certification

- Motion served by **November 6, 2009**
- Opposition served by **November 20, 2009**
- Reply served by **December 4, 2009**

At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

3. All fact discovery must be completed by **February 26, 2010**.

4. The following motion will be served by the dates indicated below.

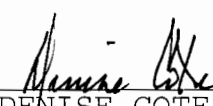
Plaintiff's motion for class certification

- Motion served by **March 5, 2010**
- Opposition served by **April 2, 2010**
- Reply served by **April 23, 2010**

Counsel shall supply two courtesy copies of all motion papers to the Court at the time they are served.

5. Defendant's opposition to plaintiff's Daubert motion shall be served by **May 7, 2009**.

Dated: New York, New York
October 20, 2009



DENISE COTE
United States District Judge